IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 78/186,079

Mark: FROZEN ORANGE FRENZY

Published in the Official Gazette July 22, 2003

CHINA MIST TEA COMPANY, an Arizona

Corporation

Opposer,

- against -

DR PEPPER/SEVEN UP, INC., a

Delaware corporation

Applicant.

Opposition No. 91158283

EXPRESS ABANDONMENT (WITHDRAWAL) OF APPLICATION WITHOUT PREJUDICE

Commissioner for Trademarks 2900 Crystal Drive Arlington, Virginia 22202-3514 NO FEE

06-03-2004

U.S. Patent & TMOfc/TM Mail Ropt Dt. #39

Applicant, with the express written consent of Opposer as shown below, pursuant to rule 2.135 of the Trademark Rules of Practice, hereby abandons application serial number 78/186079 for the mark FROZEN ORANGE FRENZY without prejudice, which mark is subject to the above-referenced opposition.

New York, New York

JENNINGS STROUSS & SALMON, PLC

FROSS ZELNICK LEHRMAN

& ZISSU_P.C.

Glenn S. Bacal, Esq.

Attorneys for Opposer

The Collier Center, 11th Floor

201 East Washington Street

Phoenix, AZ 85004-2385

Barbara Solomon

Attorneys for Applicant 866 United Nations Plaza

New York, New York 10017

(212) 813-5900

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